

REMARKS

1. Claims 1-28 are pending in the application. Of these, claims 5-7, 14-16, 20, 21 and 26-28 stand withdrawn, claims 1-4, 8-13, 17-19 and 22-25 stand rejected. This communication amends claims 1, 13 and 25.

Reconsideration of this application is respectfully requested.

2. The drawings stand objected to under 37 CFR 1.83(a) because the “support surface” recited in claims 11, 12 and 25 is not shown. Enclosed herewith for the Examiner’s approval is a proposed drawing correction to FIG. 4, which shows the support surface (depicted with red ink). No new matter is believed added to the drawing.

3. Claim 25 stands objected to because it incorrectly depends from claim 1. In response, claim 25 has been amended to depend from claim 13.

4. Claims 1-4 and 8-12 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,126,507 to Kirma. In support thereof, the Office action states that Kirma discloses “...a shield (73 metal rail and in 70 metallized plastic) disposed within the at least one walls of the channel member and the cover... .”

This rejection is respectfully traversed because the shield identified by the Office Action is not within the walls of the Kirma device. The shield identified as the metal rail 73 and metallization (no reference numeral is provided) are disposed on the surface of the walls of the covering 71 and the U-shaped partial element 70. To make this distinction clearer, claim 1 has been amended to recite “a shield buried within the at least one walls of the channel member and

the cover ...” Kirma clearly fails to disclose a device with such a shield. Hence, Kirma does not anticipate currently amended claim 1.

Dependent claims 2-4 and 8-12 include all the features of currently amended claim 1 and therefore, are not anticipated by Kirma for at least the same reasons as set forth respecting claim 1.

In view of the foregoing, withdrawal of the rejection of claims 1-4 and 8-12 under 35 U.S.C. 102(b) using Kirma is respectfully requested.

5. Claims 13, 17-19 and 22-25 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,143,984 to Auteri in view of Kirma. In support thereof, the Office Action relies on Auteri for teaching “at least one inner raceway (14, 16) to be contained within the outer raceway...” and relies on Kirma for teaching “a shield (73, in 70) disposed within the at least one walls of the second channel member and the second cover...”

In response, claim 13 has been amended to recite “at least one inner raceway contained entirely within the outer raceway...” Auteri in view of Kirma fail to teach or suggest this structure. Specifically, the “outer raceway” disclosed in Auteri (adjustable raceway channel connector 20 FIG. 2) merely contains portions of inner raceways 14 and 16. Auteri in view of Kirma also fail to teach or suggest “a shield disposed within the at least one walls of the second channel member and the second cover...” as recited in claim 13, because the shield relied upon in Kirma is disposed on the surface of the walls of the covering 71 and the U-shaped partial element 70. Thus, currently amended claim 13 is patentable over Auteri in view of Kirma.

Dependent claims 17-19 and 22-25 include all the features of currently amended claim 13 and therefore, are patentable over Auteri in view of Kirma for at least the same reasons as set forth respecting claim 13.

In view of the foregoing, withdrawal of the rejection of claims 13, 17-19 and 22-25 under 35 USC 103(a) using Auteri in view of Kirma is respectfully requested.

6. Favorable reconsideration of this application is respectfully requested as it is believed that all outstanding issues have been addressed herein and, further, that claims 1-4, 8-13, 17-19 and 22-25 are in condition for allowance, early notification of which is earnestly solicited. Should there be any questions or matters whose resolution may be advanced by a telephone call, the examiner is cordially invited to contact applicants' undersigned attorney at his number listed below.

7. No fees are due with this communication. The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR 1.16 and any patent application processing fees under 37 CFR 1.17, which are associated with this communication, or credit any overpayment to Deposit Account No. 50-2061.

Respectfully submitted,



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